



**US Army Corps
of Engineers**
Buffalo District

News Release

Release #01-11

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February 13, 2001

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Corps expects to receive individual permit application for Sheldon Marsh project

Sandusky, Ohio – The U.S. Army Corps of Engineers, Buffalo District, has been notified by Robert Barnes, president of Barnes Nursery, Inc., that he will submit an after-the-fact individual permit application for work already begun adjacent to the Sheldon Marsh Nature Preserve. Last month, the Corps notified Barnes that a previously affirmed Nationwide permit had been issued in error, rendering it inapplicable based on project purpose. Barnes was informed that his options were to pursue an individual permit or to restore the area to its original condition.

Barnes notified the Corps on Monday that he intends to seek an individual permit. Once the application is received, the Corps will review it for completeness and, if complete, will publish a public notice, to include a 30-day comment period. The public notice is distributed to

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adjacent property owners; federal and state agencies, including the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Ohio Department of Natural Resources (ODNR), and the Ohio Environmental Protection Agency (OEPA); special interest groups and anyone else expressing an interest in the project. Once issued, the public notice will also be posted on the Corps website, located at <http://www.lrb.usace.army.mil>.

The public notice contains a description of the work already completed as well as any features of the project that are in the proposal stage. The notice briefly outlines the scope of the Corps public interest review process and generally defines the process for the evaluation of the after-the-fact permit application. It also includes a list of required state certifications for water quality and coastal zone consistency.

The public may request a hearing during the comment period for the notice. However, a hearing is only held if it is clear that new information relevant to the decision making process cannot be obtained by other conventional means. After the comment period closes, the Corps staff evaluates the entire administrative record for the application, prepares an environmental assessment and concludes the process with a decision recommendation. The District Commander, Lt. Col. Glen R. DeWillie, then reviews the entire record and makes the final decision. The application evaluation process normally takes about 60-90 days from the start of the public notice. However, the decision time frame can be extended by as much as 90 days or more if a hearing is held or if there is a delay in the granting of the required state certifications.

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